

Senate File 2061 - Introduced

SENATE FILE 2061

BY DICKY

A BILL FOR

1 An Act relating to the use of automated or remote systems for
2 traffic law enforcement involving out-of-state businesses,
3 and including applicability provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **321.492C Use of automated or remote**
2 **systems for traffic law enforcement — out-of-state businesses.**

3 1. The state, a local authority, or any public or private
4 entity shall not place or cause to be placed on or adjacent
5 to a highway, or maintain or employ the use of, any automated
6 or remote system for traffic law enforcement if any of the
7 following apply:

8 a. The system is installed, operated, maintained, or
9 serviced by an out-of-state business.

10 b. The state or local authority, as applicable, uses an
11 out-of-state business to file or process a citation against,
12 send an invoice to, or otherwise contact a person regarding
13 any interaction with the system, or any part of the citation
14 issuance process takes place outside the state or is connected
15 to an out-of-state business.

16 2. Any citation or other claim for payment resulting from an
17 interaction with an automated or remote system for traffic law
18 enforcement operated in violation of this section is void and
19 unenforceable.

20 3. For purposes of this section:

21 a. *"Automated or remote system for traffic law enforcement"*
22 means a camera or other optical device designed to work in
23 conjunction with an official traffic control signal or speed
24 measuring device to identify motor vehicles operating in
25 violation of traffic laws, the use of which results in the
26 issuance of citations sent through the mail or by electronic
27 means.

28 b. *"Out-of-state business"* means a person organized under
29 statute or common law outside of this state for purposes of
30 engaging in a commercial activity on a profit, cooperative, or
31 nonprofit basis, or an individual with a principal place of
32 business outside of this state.

33 Sec. 2. **APPLICABILITY.**

34 1. This Act applies to the installation, operation,
35 maintenance, or service of an automated or remote system for

1 traffic law enforcement on or after the effective date of this
2 Act.

3 2. a. This Act applies to citations or other claims for
4 payment resulting from an interaction with an automated or
5 remote system for traffic law enforcement filed or processed on
6 or after the effective date of this Act.

7 b. A citation or other claim for payment issued or
8 mailed prior to the effective date of this Act shall not be
9 invalidated by the enactment of this Act and shall be processed
10 according to the provisions of law under which the citation or
11 other claim for payment was authorized.

12 EXPLANATION

13 The inclusion of this explanation does not constitute agreement with
14 the explanation's substance by the members of the general assembly.

15 This bill prohibits the state, a local authority, or
16 any public or private entity from placing, maintaining, or
17 employing the use of any automated or remote system for traffic
18 law enforcement (ATE system) on or adjacent to a highway if the
19 ATE system is installed, operated, maintained, or serviced by
20 an out-of-state business, or the state or local authority, as
21 applicable, uses an out-of-state business to file or process a
22 citation against, send an invoice to, or otherwise contact a
23 person regarding any interaction with the ATE system, or if any
24 part of the citation issuance process takes place outside the
25 state or is connected to an out-of-state business. Under the
26 bill, any citation or other claim for payment resulting from
27 an interaction with an ATE system operated in violation of the
28 bill is void and unenforceable.

29 The bill defines "automated or remote system for traffic law
30 enforcement" and "out-of-state business" as the terms are used
31 in the bill.

32 The bill applies to the installation, operation,
33 maintenance, or service of an ATE system on or after July
34 1, 2022, and citations or other claims for payment resulting
35 from an interaction with an ATE system filed or processed on

1 or after July 1, 2022. A citation or other claim for payment
2 issued or mailed prior to July 1, 2022, is not invalidated by
3 the bill and must be processed according to the provisions of
4 law under which the citation or other claim for payment was
5 authorized.